

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
MAY 04 2007  
JOHN F. CORCORAN, CLERK  
DEPUTY CLERK

JERRY WOODY,

*Plaintiff,*

v.

JO ANNE B. BARNHART, COMMISSIONER OF  
SOCIAL SECURITY,

*Defendant.*

CIVIL ACTION No. 3:06-CV-00005

OPINION AND ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff's Motion for Attorney's Fees. The matter was referred to The Honorable B. Waugh Crigler, United States Magistrate Judge, for a Report and Recommendation, which was filed on April 4, 2007. No objections to the Report were filed.

The Report is hereby ADOPTED in full as the opinion of this Court. The Plaintiff's motion for fees is DENIED because Plaintiff is not a "prevailing party."

The Clerk of the Court is directed to send a certified copy of this Order to all counsel of record.

ENTERED:

Norman K. Moon  
U.S. District Judge

May 4, 2007  
Date